

Legal tender, currency, medallions, or gold and silver coinage issued by the State of Illinois, the government of the United States of America, or the government of any foreign country, and bullion are exempt from Retailers' Occupation Tax. See 86 Ill. Adm. Code 130.1910(c). (This is a GIL.)

January 13, 2005

Dear Xxxxx:

This letter is in response to your letter dated December 20, 2004, in which you request information. The Department issues two types of letter rulings. Private Letter Rulings ("PLRs") are issued by the Department in response to specific taxpayer inquiries concerning the application of a tax statute or rule to a particular fact situation. A PLR is binding on the Department, but only as to the taxpayer who is the subject of the request for ruling and only to the extent the facts recited in the PLR are correct and complete. Persons seeking PLRs must comply with the procedures for PLRs found in the Department's regulations at 2 Ill. Adm. Code 1200.110. The purpose of a General Information Letter ("GIL") is to direct taxpayers to Department regulations or other sources of information regarding the topic about which they have inquired. A GIL is not a statement of Department policy and is not binding on the Department. See 2 Ill. Adm. Code 1200.120. You may access our website at www.ILTAX.com to review regulations, letter rulings and other types of information relevant to your inquiry.

The nature of your inquiry and the information you have provided require that we respond with a GIL. In your letter you have stated and made inquiry as follows:

We have a question in regards to sales tax on collector coins. This includes commemorative coins, specialty coins, state quarter sets and proof sets. We understand that we are required to charge sales tax on collector coins. Our question is, does the state quarter and proof sets count as collector coins? They are legal tender and can be used as such, but they are sold for way above face value.

Thanks and please call if you should need further information.

DEPARTMENT'S RESPONSE:

For general information, please see 86 Ill. Adm. Code 130.1910, which describes the exemption from Illinois Retailers' Occupation Tax liability for certain collector coins, medallions and legal tender.

Gross receipts from the sales of legal tender, currency, medallions, gold or silver coinage issued by the State of Illinois, the government of the United States of America, or the government of any foreign country, and bullion, are exempt from Retailers' Occupation Tax. See 86 Ill. Adm. Code 130.1910(c). No certification or exemption identification numbers are required in order to document the nontaxable sales of such items.

I hope this information is helpful. If you require additional information, please visit our website at www.ILTAX.com or contact the Department's Taxpayer Information Division at (217) 782-3336. If you are not under audit and you wish to obtain a binding PLR regarding your factual situation, please submit a request conforming to the requirements of 2 Ill. Adm. Code 1200.110 (b).

Very truly yours,

Edwin E. Boggess
Associate Counsel

EEB:msk